

City Administrator Report to Mayor & City Council

April 16, 2015, Edition No. 168

WEEKLY UPDATE:

1. City Administrator: Just an FYI that I will be out of the office tomorrow as my son has some minor surgery. I will be available by cell phone.
2. ATE: Attache dis the final ATE appeal for you information.
3. Cedar Street: Reminder that the Cedar Street & Logan Street Intersection (Round-A-Bout) will be closed from Monday April 27th until Friday June 5th. This includes on the west end of Cedar Street from the Gaeta property entrance to the east end at the west side of the Stonebrook entrance; and on Logan Street from the north side of the All American Care Facility entrance north to the center of the intersection. The closure will begin at 8:00AM on Monday April 27th.
4. Mississippi Drive: Staff and our City Attorney had a conference call with FHWA regarding the issue of federalization on the Mississippi Drive Project going forward. FHWA still maintains that the project is federalized. We are working through Congressman Loeb sack's office and expect to hear directly from the FHWA attorney. We will schedule this for council review and discussion May.
5. Bi-State: Attached is the April 2015 Commission Packet. The next Commission meeting scheduled for Wednesday, April 22, 2015.
6. HR: Housing Administrator Kaitlyn Love has decided to take a job in her hometown. Dick Yerington will be returning on a part time basis to assist with the transition.
7. CVB: The draft CVB agreement is attached. The CVB is considering this contract language before returning to Council for consideration. Additionally, given that the CVB has not completed their efforts to become a 501(c)(3), the board is also reviewing its status as an independent agency versus a city advisory board at its upcoming meeting. We will bring these discussions forward likely at the May in-depth session.
8. Sister Cities: Please see the attached invite for the May 15th Grand Opening of their pocket park at Cedar and 8th Street (5-6pm).
9. Transfer Station:
 - a. Spring Clean Up Week: Next week, April 20-24, 2015, is Spring Clean Up Week for the City of Muscatine and Fruitland. All items accepted should be out at the curb by 5:00 am on your regular pick up day.
 - b. Compost Site: The Compost Site is open for the season. Sunday - Friday: Noon- 6:00 pm and Saturday: 9:00 am - 6:00 pm. Items accepted include grass clippings, leaves, items from gardens, brush, and trees. We do not have mulch or compost yet, please contact 563.263.9689 for more information on when we will have mulch or compost.

- c. Food Grade Plastic Barrels: The Water Pollution Control Plant has food grade plastic barrels that are available at no charge. Please contact the WPCP at 563.263.2752 to set up a time to pick up barrels.
- d. Living Green in Muscatine: This year we will be celebrating the Muscatine County Conservation Board's 50th year of conservation at the Living Green in Muscatine event! Friday, May 15, 2015, 4:00-7:00 pm at the Nature Center and Discovery Park. Live music, activities, Re - Creation Station, and more!

ADDITIONAL INFORMATION:

Streets Department Items

- 1. Guard Rails needed at the end of Valley St. and Kindler/Fulliam (S. Dalbey & M. Chandler)
- 2. Alley reconstruction (1209 Lincoln)
- 3. Sidewalk at 600 Park Ave. (K. Rogers)
- 4. 180 Sherman - Temporary Repair made (O. Shidaheh)
- 5. Kum-N-Go Alley @ Franklin/Grandview --- Completed (B. Bynum)
- 6. Temporary repair at 511 Hagerman - completed
- 7. 25th Ave.S & 47th Ave. W --- overlay candidates?
- 8. 515 W. 2nd and Locust --- Alley/sidewalk reconstruction
- 9. 3331 Mulberry --- crushed stone on driveway entrance needed
- 10. 8th & Cedar: remove Snow Emergency sign and repair Stop sign (G. Mandsager)
- 11. 621 Climer --- Bushes extend into alley

BEFORE THE IOWA DEPARTMENT OF TRANSPORTATION

IN RE: EVALUATION OF THE CITY OF MUSCATINE'S AUTOMATED TRAFFIC ENFORCEMENT REPORT—PRIMARY HIGHWAY SYSTEM	CASE NO. _____ APPEAL OF EVALUATION
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COMES NOW, the City of Muscatine, Iowa (“City”), by and through its attorney, and in support of its Appeal, respectfully states to the Iowa Department of Transportation (“IDOT”) as follows:

I. BACKGROUND FACTS

1. In 2010, by reviewing accident data and speed and red light surveys, the City identified eight (8) approaches and five (5) intersections within the City’s jurisdiction that presented safety concerns. The intersections identified are:

Washington Street at Park Avenue (north and south approaches)
Cleveland Street at Park Avenue (north and south approaches)
Cedar Street at Houser Street (east and west approaches)
University Drive at US Highway 61 (westbound approach)
Mulberry Avenue at US Highway 61 (westbound approach)

(collectively, the “Intersections”).

2. The safety concerns were precipitated by the number drivers violating the law via speed and red light violations at the Intersections.

3. The City worked with Gatso USA (“Gatso”) (whom the City had contracted to provide automated traffic enforcement camera systems (“ATE’s”) and citation management solutions) and the IDOT to engineer construction plans and ensure that the construction of the ATE systems and placement of signs was completed in accordance with the IDOT’s wishes.

4. Each of the Intersections has speed limit signs and red light signs that clearly notify drivers that photo enforcement equipment is used at those intersections.

5. In addition, the City has put up “traffic laws photo enforced” signs on every corporate limit sign on roadways entering the City of Muscatine.

6. Prior to the implementation of the ATE equipment, the City held public meetings to ensure that the public was aware of the proposed deployment of automated traffic enforcement. In addition, informational pamphlets were distributed to the public, and information was disseminated via email and the internet.

7. On or about March 11, 2011, the ATE equipment was activated at the intersection of Cedar Street and Houser Street. On or about March 18, 2011, the ATE equipment was activated at the intersections of US Highway 61 and Mulberry Avenue, US Highway 61 and University Avenue, and Park Avenue and Cleveland Street. The intersection of Washington Street and Park Avenue was activated on or about May 21, 2011. Each intersection had a warning period of thirty (30) days in which warnings were mailed to violators, but citations were not issued.

8. It is City policy that a speed citation will not be issued unless the violating vehicle is traveling more than ten (10) miles per hour over the speed limit.

9. All such speed and red light citations are considered civil violations, which do not get reported on an individual’s driver’s license, and which are significantly lower in cost than a speed or red light citation received from a police officer.

10. During the approximately ten (10) months that the ATE equipment was active in 2011, there were a total of 19,748 citations issued—of those, 1,927 citations were for red light violations and 17,821 citations were for speed violations.

11. During 2012, there were a total of 15,462 citations issued—of those, 2,677 citations were issued for red light violations and 12,785 citations were for speed violations. By prorating the partial year in which ATE's were active in 2011, these figures represent a 32% decrease in violations from 2011 to 2012.

12. In March through December 2010 (prior to ATE implementation) there were thirty (30) motor vehicle crashes at the Intersections. In March through December 2011, there were twenty-one (21) motor vehicle crashes at the Intersections. This is a 30% decrease in crashes at the Intersections.

13. During 2013, there were a total of 13,369 citations issued—of those, 2,547 citations were issued for red light violations and 10,822 citations were for speed violations. Comparing this data to the violations issued in 2012, these figures represent a 14% decrease in violations from 2012 to 2013.

14. During 2013, there were nineteen (19) motor vehicle crashes at the Intersections. In comparison, there were twenty-six (26) motor vehicle crashes at these Intersections in 2012. These figures show a 27% decrease in motor vehicle crashes from 2012 to 2013.

15. Based on the deployment dates set forth in paragraph 7, the ATE figures used throughout this Appeal for comparative purposes are based on an approximately ten (10) month period in 2011 versus a full twelve (12) month period for all years thereafter. As such, the decreases in citations issued and motor vehicle accidents since 2011 are even more pronounced than the figures present.

16. The above data clearly shows that the ATE cameras are having a positive impact on the traffic safety issues and there has been a substantial reduction in speed and red light violations at the Intersections.

17. The ATE equipment found at each of the Intersections not only detects and documents red light and speed violations, but can also be set for license plate recognition in response to Amber Alerts or other crimes.

18. In addition, the video footage obtained by the ATE equipment has been used multiple times as evidence in court for citations issued due to traffic crashes in the area of the relevant intersection.

19. On or about April 29, 2014, the City submitted its annual Automated Traffic Enforcement Report (the “Report”) to the IDOT as required by Iowa Administrative Code 761—144.7(1). The Report set forth the citation and crash data presented above as evidence of the effectiveness of the City’s ATE units.

20. On or about March 17, 2015, the IDOT notified the City of its evaluation of the City’s Report (the “Evaluation”).

21. In the Evaluation, the IDOT ordered that the City permanently remove the ATE equipment at the University Drive at US Highway 61 (westbound approach) Intersection (“University Drive”) for the following reasons: (i) crashes have increased since the camera was installed, (ii) high number of speed violations, and (iii) camera is within 1,000 feet of a lower speed limit. The Evaluation approved the continued operation of ATE’s at the remaining Intersection locations.

22. When the City was initially considering where to place the ATE units, its focus for the University Drive intersection—a location leading into the City’s business district—was to reduce speed to secure greater safety for the higher volume of vehicles and pedestrians. During the approximately ten (10) months of 2011 in which the ATE unit was active at the University Drive intersection, there were 12,857 citations issued at this location. Since 2011, this number

has been reduced significantly to 8,018 citations per year in 2014 (which is based on a full twelve (12) month period). The one (1) additional motor vehicle crash at the University Drive intersection—10 before activation (total for 2009 and 2010); 11 after activation (total for 2012 and 2013)—that the IDOT uses to justify its position in the Evaluation does not paint an accurate picture of the progress that has been made at this site as the reduction of speed at the University Drive location was always the focus for the City, and the ATE camera has been extremely successful in this regard.

23. The Evaluation also indicates that the ATE unit at the University Drive location must be removed because it is located approximately 830 feet after a lower speed limit sign (55 mph to 45 mph) in violation of Iowa Administrative Code 761—144.6(1)(b)(10), which provides that automated enforcement should not be placed within the first 1,000 feet of a lower speed limit.

24. However, in 2011, the IDOT designed the sign layout at the University Drive intersection, and the IDOT even *installed* the University Drive signs in question. There are approximately ten (10) different signs warning of a speed reduction and ATE cameras, and eight (8) orange flags on four of those signs. At that time, the sign placement complied with the IDOT's relevant regulations.

25. On or about September 9, 2014, the City's Chief of Police, Brett Talkington, emailed Tim Crouch with the IDOT asking that the IDOT relocate the speed limit signs—which they had designed and installed—to meet the new rules and regulations. *See* September 9, 2014 email, attached hereto. On or about December 4, 2014, after hearing no response to his September 9th correspondence, Chief Talkington followed up with Tim Crouch and asked that the IDOT either move the speed limit signs or consider the signs “grandfathered in.” *See* attached

December 4, 2014 email, attached hereto. To date, there has been no response to either correspondence.

II. GROUNDS FOR APPEAL

A. Regulation and Enforcement at the Intersections is the Responsibility of the City.

26. Paragraphs 1-25 are incorporated herein.

27. In Iowa, cities are given the power of self-government. Specifically, Iowa Code §364.1 provides that a city may “exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges, and property of the city or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort, and convenience of its residents.”

28. In addition, the City of Muscatine is a special charter city—which grants them more legislative independence than typical cities. Specifically, Iowa Code §420.41 provides that “no state law shall be deemed to impair, alter or affect the provisions of any such special charter or any existing amendment thereto in any of the following respects...b. In respect of authority to license, tax and regulate various persons, occupations, amusements, places and objects, as said general subjects of licensing, taxing and regulation are more specifically set forth in the respective charters of such cities.”

29. To that end, the City identified certain Intersections within its jurisdiction that presented safety concerns due to the number of speed and red light violations at those locations. These Intersections happen to be along roadways that are the main arteries of the City and contain the highest traffic counts.

30. The City clearly has a vested interest in the safety and well being of its citizens and its law enforcement officers at these Intersections.

31. However, the City has limited resources concerning the amount of sworn officers it has at its discretion. The implementation of ATEs actually acts as a force multiplier for the police department, in that it allows the sworn officers to focus on additional community safety concerns instead of stationing a permanent officer at each of the Intersections. In addition, the ATE's pose a much lower safety risk to the City's police officers, first responders and other members of the traveling public.

32. In researching alternative options to help address these safety concerns, the City found that ATEs could enhance the City's ability to "exercise" its power in protecting its citizens and officers, as authorized by Iowa Code §364.1.

33. Subsequently, there have been traffic studies conducted by the Iowa State University Institute for Transportation's Center for Transportation Research and Education ("CTRE"), which also support this methodology. These studies were funded by the IDOT. Late in 2013, the CTRE released the latest study that supported the use of ATEs—which found that 55-56.4% of those surveyed supported the use of ATE equipment for speed enforcement and that 70% supported the use for red light detection and ticketing.

34. Iowa Code does not grant the IDOT the discretion to dictate the method or means in which the municipality or its police officers enforce the laws upon the roads within the municipality. Rather, the Iowa Code gives the IDOT the authority to establish, construct, alter, vacate, improve, operate and maintain primary roadways, but not dictate what means local governments may employ to enforce traffic laws.

35. The City has found that the implementation of ATE cameras at the Intersections has caused an approximately 31% decrease in speed and red light violation citations since 2011. In addition—and more importantly—there has been a 27% reduction in motor vehicle crashes at

these Intersections, with a 78% reduction in personal injury crashes. It is clear that the implementation of ATE cameras has improved the safety, health, and welfare of its citizens.

36. With regard to the contested University Drive intersection, the implementation of an ATE camera has been successful in reducing speed—which was the City’s main concern at this area—as evidenced by the reduced number of citations at this location from approximately 13,000 citations per year (which number is based on only ten (10) months of data from 2011) to approximately 8,000 citations per year (which is based on a full twelve (12) month period). The reduction of speed at the University Drive intersection, also helps the City curb speed violations at the Mulberry Avenue at US Highway 61 intersection.

37. Traffic enforcement and regulation at these Intersections is a public safety issue, and the City, pursuant to its authority in Iowa Code §364.1, has found ATEs to be an effective tool to supplement the City’s regulation.

WHEREFORE, the City appeals the IDOT’s order to remove the ATE unit at the University Drive location, and respectfully requests that the IDOT reverse its decision and work with the City to relocate the speed signs at issue in this area.

B. The IDOT Does Not Have Authority to Regulate the Use of ATEs.

38. Paragraphs 1-37 are incorporated herein.

39. On or about February 12, 2014, the IDOT rules regulating the use of automated traffic enforcement on primary roadways (the “Rules”) became effective.

40. However, the Rules adopted by the IDOT clearly violate Iowa Code §306.4(4) whereupon the legislature directed that both the City and the IDOT shall exercise concurrent jurisdiction over the primary roads within the municipality.

41. In addition, the IDOT failed to follow proper procedural requirements when it implemented the Rules. Iowa Code §17A.3(2) provides that “No agency rule or other written statement of law or policy, or interpretation, order, decision, or opinion is valid or effective against any person or party, nor shall it be invoked by the agency for any purpose, until it has been made available for public inspection and indexed as required by subsection 1, paragraphs ‘d’ and ‘e’...”

42. The rulemaking process is to be construed broadly to effectuate its purposes. *See* Iowa Code §17A.23.

43. At the IDOT’s October 30, 2013 hearing on the Rules, individuals requested to provide statements and/or testimony with regard to the proposed Rules. Such requests were denied.

44. Then, after the October 30, 2013 hearing, the IDOT added additional terms to the Rules, including the “1,000-foot rule”, and there was no additional public hearing, nor was the public afforded the opportunity to comment on such revisions, prior to their implementation on February 12, 2014.

45. More importantly, the Iowa Legislature has yet to enact any legislation governing the use of ATEs. The Rules circumvent this legislative process by allowing the Department of Transportation to unlawfully legislate from the Administrative Branch of Iowa Government.

46. Iowa Code §17A.19(10) allows courts to reverse, modify, or grant other appropriate relief from agency action if it determines that substantial rights of the person seeking judicial relief have been prejudiced because the agency action is, *inter alia*:

- Beyond the authority delegated to the agency by any provision of law or in violation of any provision of law. *See* Iowa Code §17A.19(10)(b).

- Based upon an erroneous interpretation of a provision of law whose interpretation has not clearly been vested by a provision of law in the discretion of the agency. *See* Iowa Code §17A.19(10)(c).

WHEREFORE, as the IDOT has no authority to regulate the City's use of ATE cameras within its jurisdiction, the City appeals the IDOT's order to remove the ATE unit at the University Drive location, and respectfully requests that the IDOT reverse its decision.

C. The IDOT Decision is Not Supported by Substantial Evidence and Negatively Impacts the Public Interest.

47. Paragraphs 1-46 are incorporated herein.

48. Iowa Code §17A.19(10) allows courts to reverse, modify, or grant other appropriate relief from agency action if it determines that substantial rights of the person seeking judicial relief have been prejudiced because the agency action is, *inter alia*:

- Based upon a determination of fact...that is not supported by substantial evidence in the record before the court when that record is viewed as a whole. *See* Iowa Code §17A.19(10)(f).
- Not required by law and its negative impact on the private rights affected is so grossly disproportionate to the benefits accruing to the public interest from that action that it must necessarily be deemed to lack any foundation in rational agency policy. *See* Iowa Code §17A.19(10)(k).
- Based upon an irrational, illogical, or wholly unjustifiable application of law to fact that has clearly been vested by a provision of law in the discretion of the agency. *See* Iowa Code §17A.19(10)(m).
- Otherwise unreasonable, arbitrary, capricious, or an abuse of discretion. *See* Iowa Code §17A.19(10)(n).

49. "Substantial evidence" means the quantity and quality of evidence that would be deemed sufficient by a neutral, detached, and reasonable person, to establish the fact at issue when the consequences resulting from the establishment of that fact are understood to be serious and of great importance." *See* Iowa Code §17A.10(f)(1). "Evidence is 'substantial' if a

reasonable person would consider it sufficient to support the administrative agency's conclusions." See *South East Iowa Co-op Elec. Ass'n v. Iowa Utilities Bd.*, 633 N.W.2d 814, 818 (Iowa 2001). In determining whether the evidence supports the agency decision, the ultimate question is not whether evidence supports a different finding, but whether evidence supports the findings actually made. See *City of Hampton v. Iowa Civil Rights Com'n.*, 554 N.W.2d 532 (Iowa 1996). The court must consider all of the evidence, including that offered in opposition to the agency's findings. See *Burns v. Bd. of Nursing*, 495 N.W.2d 698 (Iowa 1993).

50. In this case, the IDOT ordered the City to remove the ATE camera at the University Drive location because: (i) crashes have increased since the camera was installed, (ii) there is a high number of speed violations, and (iii) the camera is within 1,000 feet of a lower speed limit.

51. As an initial matter, the City objects to the IDOT's use of the Rules retroactively to order removal of its ATE camera at the University Drive location. To be retroactive, the Rules would have had to expressly provide for retroactivity, and further, the cameras were placed according to permits issued (and never revoked) by the IDOT.

52. However, assuming retroactivity is allowed, the one (1) additional motor vehicle crash at the University Drive intersection—10 before activation (total for 2009 and 2010); 11 after activation (total for 2012 and 2013)—that the IDOT uses to justify its position in the Evaluation does not illustrate the progress that has been made at this site.

53. As detailed above, the City's focus in implementing the ATE camera at University Avenue was to reduce speed as citizens entered the City's business district. The ATE camera has been very successful on this front—as evidenced by the decrease in the number of citations at this location from approximately 13,000 citations per year (again, this figure reflects

only a ten (10) month time frame) to approximately 8,000 citations per year (which represents a full twelve (12) month figure).

54. This drastic reduction in citations per year also debunks the IDOT's argument about the "high number of speed violations" at the University Avenue location. It is clear that prior to implementation of the camera, speed violations were substantially higher than they currently are. Logic would hold that removing the camera would allow the number of speed to violations to increase over time (closer to pre-ATE numbers.)

55. Finally, with regard to the IDOT's argument that the ATE camera at the University Avenue location is within 1,000 feet of a lower speed limit, the City asserts that the IDOT was responsible for designing where those signs were located and even *installed* the signs at issue. As set forth above, the City has contacted the IDOT on at least two separate occasions inquiring about moving those signs. This correspondence has been ignored, however the City is willing to work with the IDOT to relocate these signs.

56. In addition, the application of the 1,000-foot rule is arbitrary and irrational in that there is no data or other reasonable basis for the rule in law or in fact. However, assuming there is proper basis, the difference between the City's sign placement at approximately 830 feet after a lower speed limit sign versus the required 1,000 feet is *de minimus*.

WHEREFORE, as, when viewing the record as a whole, the IDOT's decision is not based on substantial evidence and negatively impacts the public interest, the City appeals the IDOT's order to remove the ATE unit at the University Drive location, and respectfully requests that the IDOT reverse its decision. As such, the City will not be deactivating the ATE camera at University Avenue on April 17, 2015 as ordered in the Evaluation.

Original to:

Paul Trombino III
Director, IDOT
800 Lincoln Way
Ames, Iowa 50010
Paul.Trombino@dot.iowa.gov

Copy to :

Steve Gent
800 Lincoln Way
Ames, Iowa 50010
Steve.Gent@dot.iowa.gov

ATTORNEYS FOR IDOT

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleading on April 15, 2015 by U.S. Mail.

Signature /s/Katherine Hanson

Respectfully Submitted by,

BRICK GENTRY P.C.



Matthew S. Brick (AT0001081)
Erin M. Clanton (AT0002592)
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West Des Moines, Iowa 50266
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ATTORNEYS FOR THE CITY

MEETING ANNOUNCEMENT AND AGENDA BI-STATE REGIONAL COMMISSION

Wednesday, April 22, 2015, 3:30 p.m.

Scott County Administrative Center

600 West Fourth Street

Davenport, IA

FINANCIAL
(green)

ACTION NEEDED
(yellow)

INFORMATIONAL
(white)

- | FINANCIAL
(green) | ACTION NEEDED
(yellow) | INFORMATIONAL
(white) | |
|----------------------|---------------------------|--------------------------|--|
| | X | | 1. <u>Approval of the March 25, 2015 Minutes (See enclosed)</u> – John Thodos, Chair |
| X | X | | 2. <u>Treasurer's Report</u> (See enclosed) – Marty O'Boyle, Treasurer |
| | | | 3. <u>Finance and Personnel Committee/Financial Matters</u> – Chuck Austin, Finance and Personnel Committee Chair |
| X | X | | a. <u>Bills</u> (See enclosed) |
| X | | X | b. <u>Report on Progress on Commission's FY 2015 Program Budget as of 3/31/2015</u> (See enclosed) |
| X | X | | c. <u>Contracts/Grants for Consideration</u> – Denise Bulat, Executive Director |
| | | | I. Other Contracts/Grants |
| | X | X | 4. <u>Presentation and Consideration of Resolutions Supporting the FY2016 Quad Cities and Region 9 Transportation Work Planning Programs (TPWPs) (See enclosed)</u> – Gena McCullough, Planning Director |
| | X | X | 5. <u>Bi-State Region Comprehensive Economic Development Strategy (CEDS) 2015 Progress Report Final Presentation and Consideration of Resolution (See enclosed)</u> – Denise Bulat, Executive Director |
| | | X | 6. <u>Update from the Corps of Engineers on the Upper Mississippi River Navigation System</u> – U.S. Army Corps of Engineers, Rock Island Division |
| | | | 7. <u>Questions or Comments by Commissioners</u> |
| | | | 8. <u>Other Business</u> |
| | | | 9. <u>Adjournment</u> |

NEXT MEETING: Wednesday, May 27, 2015 – 3:30 p.m.

Scott County Administrative Center

600 West Fourth Street

Davenport, IA

**MINUTES OF THE
BI-STATE REGIONAL COMMISSION**

Wednesday, March 25, 2015, 3:30 p.m.
Scott County Administration Building
600 West Fourth Street
Davenport, Iowa

MEMBERS PRESENT: Kelly – Vice Chair, Callaway-Thompson, Gallagher, Gluba, Gradert, Heiland, Heninger, Hillman, Holst, Hopkins, Howard, Lawrence, Liddell, Maranda, Meeker, O'Boyle, Raes, Schloemer, Sherwin, Tank, Terry, Washburn, Williams

MEMBERS ABSENT: Anderson, Austin, Earnhardt, Gordon, Holmes, Newton-Butt, Pauley, Stoermer, Sunderbruch, Tossell, Volz

OTHERS PRESENT: Becky Marruffo, Illinois Department of Transportation; Doug Rick, Iowa Department of Transportation; Bailey Deitz, KWQC; Megan Noe, WQAD; Dawn Neuses, Dispatch-Argus Newspaper.

STAFF PRESENT: Bulat, Grabowski, McCullough, Moritz

Vice Chair Kelly called the meeting to order at 3:31 p.m. and asked for introductions.

1. Approval of the February 25, 2015 Minutes. Mayor Gluba moved to approve the minutes of February 25, 2015 as presented. Mr. Terry seconded the motion, and it passed unanimously.
2. Treasurer's Report. Mayor O'Boyle presented the Treasurer's Report for the month ending February 28, 2015, noting an ending total bank and book balance of \$639,620.44. Mayor O'Boyle moved the report be accepted as written and mailed. Mr. Maranda seconded the motion, and it passed unanimously.
3. Finance and Personnel Committee.
 - a. Bills. Ms. Hillman presented the bills totaling \$17,118.94, as listed on the following bills listing and addendum dated March 25, 2015:

Bills List

Hurt, Norton & Associates, February 2015 legislative technical service (cost reimbursed by participating member governments)	\$ 7,750.00
Thomas A. Skorepa, P.C., Administrative Hearing Officer services (cost reimbursed by MUNICES)	3,360.00

Addendum

Rock Island County Treasurer			6,008.94
04/2015	Rent	\$4,618.38	
04/2015	Internet Access	88.00	
02/2015	Postage	561.78	
12/2014-2/2015	Supplies	560.57	
02/2015	Cell Phone	180.21*	
*(Partial costs reimbursed by HCEDP/Rural Accelerator Grant)			

Ms. Hillman moved approval of the bills totaling \$17,118.94 as presented above. Mr. Gradert seconded the motion, and it passed unanimously.

- b. Report on Progress on Commission's FY 2014-15 Program Budget as of February 28, 2015.
Ms. Hillman explained the Program Budget Status Report was mailed in members' packets. The Commission is 67% through the fiscal year with 63.6% expended and within budget.
- c. Contracts/Grants for Consideration. Ms. Bulat presented the following contract, grant, and an amendment to an existing contracts for consideration.
 - City of Bettendorf for Park and Recreation Master Plan Update. The contract is for the amount of \$15,500 and the period of the contract is July 1, 2015 to September 30, 2016.
 - Amend payroll processing services contract with Rock Island Arsenal Development Group to include financial management. The contract is for actual costs and the period of the contract is April 1, 2015 to June 30, 2015.
 - Grant with RDA/SCRA, not to exceed \$100,000 for Rural Scott Community IT Services Consultant Study for the period May 1, 2015 through April 30, 2016.

Mayor O'Boyle moved approval of the contract, grant, and contract amendment as presented above. Ms. Sherwin seconded the motion, and it passed unanimously.

4. Commission Committee Assignments. Ms. Bulat presented the list of the 2015-2016 officers and committees distributed at the meeting. Mayor Gluba motioned to approve the Commission officers and committee assignments as presented. Mayor Hopkins seconded, and the motion passed unanimously.
5. I-74 Bridge Update. Mr. Rick and Ms. Marruffo provided an update on the I-74 Mississippi River Bridge Corridor Project. The Interstate 74 Bridge Corridor project involves the replacement of the I-74 Bridge and over six miles of corridor improvements. It is in need of reconstruction due to crashes, recurring congestion, and significant maintenance. The bridge itself is functionally obsolete with no shoulders. The Iowa bound span was built in 1935 and the Illinois bound span in 1959.

Mr. Rick explained that there are two projects currently underway that will prepare the streets in downtown Bettendorf and Moline for the new bridge. Grant Street in Bettendorf will be reconstructed over the next two years. During this time State Street will remain open, and two lanes of Grant Street will be maintained.

In Moline, the River Drive project between 19th and 23rd streets, which began in fall 2014, will be completed in June 2015, and River Drive will be reopened. There will also be work on the I-74 Bridge itself this year, but day time lane closures will be avoided until late summer when projects on the Centennial and Government Bridges are finished.

It was noted that the project is included in the Transportation Improvement Programs for both the Iowa and Illinois Department of Transportation (DOT). All National Environmental Protection Act requirements are complete, and final design of the central section will be completed in 2015. Elements of the project including the Lincoln Road overpass and the interchange at 53rd Street have already been finished. Property purchases have been completed in Iowa, and all properties that required total buyouts are done in Illinois. Illinois DOT will be continuing with partial property buyouts over the next two years.

The I-74 Bridge Corridor project has been value engineered to reduce costs and the construction period from 8 to 3.5 years. Mr. Rick said the reconstructed I-74 Bridge will have increased protection for seismic occurrences and barge collisions and is being built to last 100 years. The reconstructed I-74 Bridge will have full shoulders allowing for emergency vehicle access in the event of an incident. It will also include a rare interstate multi-purpose trail along the downstream side with Mississippi River Trail access on each side and an elevator in Bettendorf.

Construction on the project will begin in the river in late 2017 and all of 2018. The approaches will be constructed in 2019 and 2020 with the old bridge set for demolition in 2021. The total cost for the entire six-mile corridor is \$1.25 billion, which includes \$250 million in reserves and the \$88 million already spent on engineering, ROW acquisition, demolition, and portions of the project corridor previously completed. The remaining costs for the central bridge section are estimated at approximately \$750 million.

6. Questions or Comments by Commissioners. There were no questions or comments by Commissioners.
7. Other Business. Ms. Bulat presented the Comprehensive Economic Development Strategy (CEDS) 2015 Progress Report draft for public review. She noted that there are still some communities who haven't submitted projects. She also asked Commissioners for photos of underway projects in their communities. The draft report will be presented at the next Commission meeting as the final version to be submitted to EDA.

Ms. Bulat also reminded Commissioners to fill out their surveys that were mailed the week prior. She noted that a link to the survey is available on the Bi-State website.

8. Adjournment. The meeting adjourned at 4:19 p.m.

Respectfully submitted,



Kimberly Callaway-Thompson
Secretary

**BI-STATE REGIONAL COMMISSION
TREASURER'S REPORT
FOR THE MONTH ENDING MARCH 31, 2015**

	<u>Balance March 1</u>	<u>Deposits</u>	<u>Withdrawals</u>	<u>Balance March 31</u>
GENERAL SAVINGS ACCOUNT BANK & BOOK BALANCE:				
Balance – March 1, 2015	\$ 502,672.46			
Add Deposits		\$ 640,400.04		
Less Transfers			\$ 572,373.66	
Balance – March 31, 2015				\$ 570,698.84
RLF SAVINGS ACCOUNT BANK & BOOK BALANCE:				
Balance – March 1, 2015	\$ 1,172.13			
Add Deposits		\$ 0.15		
Less Transfers			\$ 0.00	
Balance – March 31, 2015				\$ 1,172.28
CHECKING ACCOUNT BANK AND BOOK BALANCE:				
Balance – March 1, 2015	\$ 30,813.33			
Add Deposits		\$ 519,686.14		
Less Checks Written			\$ 519,872.72	
Balance – March 31, 2015				\$ 30,626.75
PAYROLL ACCOUNT BANK & BOOK BALANCE:				
Balance – March 1, 2015	\$ 4,962.52			
Add Deposits		\$ 105,664.12		
Less Checks Written			\$ 105,773.75	
Balance – March 31, 2015				\$ 4,852.89
INVESTMENT ACCOUNTS BANK & BOOK BALANCE:				
Balance – March 1, 2015	\$ 100,000.00			
State Bank of Orion 12/26/14 – 6/25/15 (.20%)		\$ 0.00		
Add Investments Made			\$ 0.00	
Less Investments Matured				\$ 100,000.00
Balance – March 31, 2015				
TOTAL BANK & BOOK BALANCE:				
Balance – March 1, 2015	\$ 639,620.44			
Deposits in March		\$1,265,750.45		
Withdrawals in March			\$1,198,020.13	
Balance – March 31, 2015				\$ 707,350.76
<u>PASS THROUGH FUNDS</u>				
BI-STATE RLF ACCOUNT:				
Balance – March 1, 2015	\$ 715,639.07			
Add Deposits		\$ 30,090.75		
Less Withdrawals			\$ 45,095.00	
Balance – March 31, 2015				\$ 700,634.82
MERCER-MUSCATINE RLF ACCOUNTS:				
Balance – March 1, 2015	\$ 30,997.31			
Add Deposits		\$ 4,094.89		
Less Withdrawals			\$ 8,015.00	
Balance – March 31, 2015				\$ 27,077.20

**BILLS TO BE CONSIDERED FOR APPROVAL
AT THE APRIL 22, 2015
BI-STATE REGIONAL COMMISSION MEETING**

Thomas A. Skorepa, P.C., Administrative Hearing Officer services (cost Reimbursed by MUNICES)	<u>\$ 2,660.00</u>
TOTAL	<u>\$ 2,660.00</u>

Additional bills for which invoices have not yet been received and will be listed on an addendum to be distributed separately.

**BI-STATE REGIONAL COMMISSION
FY 2014-15 Program Budget Status Report
Through Month of March – 75% of Year**

ADOPTED BUDGET:	\$2,137,763.00	EXPLANATION:
EXPENDED THROUGH MARCH:	\$1,554,981.50 (72.7%)	
STAFF LEVEL BUDGETED:	25.25 F.T.E.	
STAFF LEVEL MAINTAINED:	22.75 F.T.E.	

MEMBER GOVERNMENTS SERVED DIRECTLY AND ACTIVITIES DURING MARCH:

ALEDO – RLF Coord.; Transit Mobility/HSTP Planning; Website Support.
ALPHA – HCEDP Participation; Transit Mobility/HSTP Planning; Enterprise Zone.
ANDALUSIA – RICWMA Staffing; Riverfront Council; Website Support; Zoning Map update.
ANDOVER – HCEDP Participation; Transit Mobility/HSTP Planning; Enterprise Zone.
ATKINSON – HCEDP Participation; Transit Mobility/HSTP Planning; Website Support; Enterprise Zone.
BETTENDORF – Air Quality Asst.; Drug/Alcohol Testing Consort.; I-74 Bridge Coord.; IAQC Transit Planner Coord. & Transit Support; Joint Purchasing; QCICNet; Riverfront Council; RLF Loan Admin./Marketing; Scott Co. Housing Council; Solid Waste Coord.; Trail Coord.; Aerial Photo Coord. Asst.; REAP Plan Update; TIP Project Coord.; Park/Rec Plan Update Agreement; RISE grant asst.; Retail sales req.
BLUE GRASS – Reg. 9 Transp. Coord., LRTP & STP-TAP /Inquiries; Solid Waste Coord.; Website Support; Aerial Photo Coord. Asst.; Grant Research & Apps; Zoning Map Update.
BUFFALO – Riverfront Council; Solid Waste Coord.; Trail Planning Asst.; Aerial Photo Coord. Asst.; Grant Research.
CAMBRIDGE – HCEDP Participation; Transit Mobility/HSTP Planning; Website Support; Enterprise Zone; Grant Research.
CARBON CLIFF – Joint Purchasing; RICWMA Staffing; Trail Planning; Aerial Photo Coord. Asst.
COAL VALLEY – Joint Purchasing; MUNICES Coord.; RICWMA Staffing; Aerial Photo Coord. Asst.; Floodplain; Zoning Map Update.
COLONA – Joint Purchasing; Floodplain; Enterprise Zone; Official Orientation.
CORDOVA – RICWMA Staffing; Riverfront Council & Riverfront Planning; Website Support.
DAVENPORT – Air Quality Asst.; IAQC Transit Planner Coord., Transit Support, Data for Comp Route Analysis, and TIP/TPMS orientation; Joint Purchasing; QCICNet; Riverfront Cnd.; RiverVision; RLF Loan Admin.; Scott Co. Housing Cnd.; Solid Waste Coord.; Transit Funding & NTD Asst.; Dav. Schools Haz. Mit. Plan; IMCP/EDA Grant w/ QC Chamber; Aerial Photo Coord. Asst.; Trails Planning & Counter Data Analysis; REAP Plan Update; Population Forecast Request; RISE Grant letter.
EAST MOLINE – Air Quality Asst.; E9-1-1 Coord.; IL QC Intergov. Comm.; Joint Purchasing; MUNICES Coord.; QCICNet; RICWMA Staffing; Riverfront Council; RLF Admin.; RMS Coord.; Interoperability Project; Trail Planning; Consol. Dispatch Study Asst.; Floodplain; Aerial Photo Coord. Asst.
ELDRIDGE – Drug & Alcohol Consort.; Solid Waste Coord.; Web Support; Aerial Photo Coord. Asst.; Strategic Trails Plan.
GALVA – Broadband Coord.; HCEDP Participation; Transit Mobility/HSTP Planning.
GENESEO – HCEDP Part.; Website Support; Transit Mobility/HSTP Planning; Strategic Planning Proposal; Residency Map & Voting Map Development; Grant Research.
HAMPTON – MUNICES Coord.; RICWMA Staffing; Riverfront Council.
HENRY COUNTY – HCEDP Participation; Joint Purchasing; Transit Mobility/HSTP Planning; Trail Coord.; Legislative Priorities Asst.; Zoning/LESA Reviews; EDA/USDA Grant; Aerial Photo Coord. Asst.; Floodplain Coord. Efforts; Enterprise Zone; Econ. Dev. Impact Study Req.
HILLSDALE – Transit Mobility/HSTP Planning; Floodplain.
KEWANEE – Transit Mobility/HSTP Planning.
LECLAIRE – Joint Purchasing; Riverfront Council; Solid Waste Coord.; Trail Planning; Aerial Photo Coord. Asst.; Comprehensive Plan Proposal.
LONG GROVE – Reg. 9 Trans. Coord.; LRTP; Solid Waste Coord.; Website Support; Aerial Photo Coord. Asst.
MCCAUSLAND – Reg. 9 Trans. Coord.; Solid Waste Coord.; Grant Applications.
MILAN – E9-1-1 Coord.; IL QC Intergov. Comm.; Joint Purchasing; MUNICES Coord.; QCICNet; RICWMA Staffing; RLF Admin.; RMS Coord.; Interoperability Project; Cons. Dispatch Study Asst.; Aerial Photo Coord. Asst.; Fact Sheet Update.
MOLINE – Air Quality Asst.; E9-1-1 Coord.; Joint Purchasing; I-74 Bridge Coord.; IL QC Intergov. Comm.; MUNICES Coord.; QCICNet; RICWMA Staffing; Riverfront Cnd.; RLF Adm.; RMS Coord.; Trails Coord.; Interop. Proj.; Rail Coord.; Cons. Disp. Study Asst.; Aerial Photo Coord. Asst.
MUSCATINE CITY – Air Quality Asst.; Joint Purchasing; Reg. 9 Transportation Coord., LRTP and STP-TAP Solicitations/Inquiries; RLF Coord.; Solid Waste Coord.; Trail Planning/ADT Coordination; Sidewalk Policy; Aerial Photo Coord. Asst.; Fact Sheet Update.
MUSCATINE COUNTY – Air Quality Asst.; Joint Purchasing; Reg. 9 Coord, LRTP and STP-TAP Solicitations/Inquiries; Solid Waste Coord.; Trails Planning/ADT Coordination; Transit Mobility Coord.; Website Support; Hazard Mitigation Plan; EDA RLF Coord.; Aerial Photo Coord. Asst.
NEW BOSTON – Transit Mobility Coord./HSTP Planning; Website Support; OSLAD Grant App Follow-up.
OAK GROVE – E9-1-1 Coord.
ORION – HCEDP Participation; Website Support; Transit Mobility/HSTP Planning; Enterprise Zone.
PORT BYRON – RICWMA Staffing; Riverfront Council; Zoning Map req.
PRINCETON – Riverfront Council; Solid Waste Coord.; Trail Planning; Aerial Photo Coord. Asst.
RAPIDS CITY – RICWMA Staffing; Riverfront Council.
RIVERDALE – Riverfront Council; Solid Waste Coord.; Trail Coord.; Website Support.
ROCK ISLAND CITY – Air Quality Asst.; E9-1-1 Coord.; IL QC Intergov. Comm.; Joint Purch.; MUNICES Coord.; QCICNet; Riverfront Cnd.; RiverVision; RICWMA Stfg.; RLF Loan Admin.; RMS Coord.; Interop. Proj.; Consol. Dispatch Study App.; Aerial Photo Coord. Asst.; Trail Count; Enterprise Zone; Advanced Tech & Sustain Committee; Daytime Pop. Req.
ROCK ISLAND COUNTY – Air Quality Asst.; E9-1-1 Coord.; IL QC Intergov. Comm.; Joint Purchasing; LEPC Committee; MUNICES Coord.; QCICNet; RICWMA Stfg. & Website Support; RMS Coord.; Trail Coord.; Transit Mobility/HSTP Planning; Passenger Rail; Floodplain Coord. Efforts; Hazard Mitigation Planning Coord.; QC Health Initiative; LRTP TAZ Projections; Highway Safety Planning; Forest Preserve Map Update; Graphics Asst. - Business Cards.
SCOTT COUNTY – Financial Management – Scott Co. KIDS and Scott Co. Hsg. Cnd.; Scott Co. Kids Community Plan; Air Quality Coord.; I-74 Bridge Coord.; Joint Purch.; QCICNet, Reg. 9 Transportation Coord., LRTP & STP-TAP Solicitation; RLF Admin.; Solid Waste Coord.; Trail Planning/ADT Coord.; REAP Plan Update; Transit Mobility/HSTP Planning; Interop. Project; Aerial Photo Coord. Asst.; QC Health Initiative; FEMA Safe Room Grant Asst.; Countywide IT Survey; Future Land Use Map req.; Conservation Dept. Buffalo Bill Scenic Byways Map.
SHERRARD – Joint Purchasing; Transit Mobility/HSTP Planning; Website Support; Grants Inquiries.
SLVS – E9-1-1 Coord.; IL Intergov. Comm. Coord.; Joint Purchasing; MUNICES Coord.; QCICNet; RICWMA Stfg.; RMS Coord.; Trails Plan.; Aerial Photo Coord. Asst.
VIOLA – Transit Mobility/HSTP Planning; CDAP Grant Asst.
WALCOTT – Reg. 9 Transportation Coord., RLF Admin; Solid Waste Coord.; Trail Coord.; Aerial Photo Coord. Asst.
WEST LIBERTY – Air Qual. Coord.; Reg. 9 Transp.; Trails Plan/ADT Coord. Solid Waste Coord.; Musc. Co. Haz Mit Plan; Fact Sheet Update; MMRLF Bus. Loan Docs.
WILTON – Air Qual. Coord.; Reg. 9 Transp. Coord, LRTP & STP-TAP Solicit; Solid Waste Coord.; Muscatine Co. Haz Mit Plan; Fact Sheet Devel.; MMRLF Mktg Asst.; RISE grant App.
WINDSOR – Transit Mobility/HSTP Planning; CDAP Grant Asst./Mapping
WOODHULL – HCEDP Asst.; Transit Mobility/HSTP Planning; Enterprise Zone.

Bi-State Report – March

COMMUNITY/ECONOMIC DEVELOPMENT: Provided information to Henry County Economic Development Partnership (HCEDP) staff & board. Continued administration of Economic Development Administration/United States Department of Agriculture Rural Jobs and Innovation Challenge Grant Program on behalf of multiple member governments in Henry, Mercer, and Rock Island Counties. Attended IA RELAT meetings. Attended Iowa Regional Council and Illinois Regional Council meetings. Assisted members with legislative priorities. Collected data for *Bi-State Region Comprehensive Economic Development Strategy (CEDS) 2015 Progress Report*. Met with Mercer and Muscatine Counties' economic development officials to discuss development efforts and strategies. Hosted American Planning Association (APA) audio-conference on subdivision regulations.

DATA/GRAPHICS/MAPPING/ON-LINE SERVICES

Data Center: Staff responded to approximately 14 data and map requests in March 2015 including 6 from local governments, 4 from businesses, 1 from the federal government, 1 from a non-profit, 1 from a private citizen, and 1 from state government. The data section of the Bi-State website had 111 page views. The data warehouse site (www.greaterqcregion.org) had 353 visits and 578 page views. Staff continued work on the *2045 Quad Cities Long Range Transportation Plan (LRTP)* and the *Bi-State Region Comprehensive Economic Development Strategy (CEDS) 2015 Progress Report*.

Graphics/GIS/Mapping: 2014 Aerial Photo Flyover Coordination; *2045 Quad Cities Long Range Transportation Plan (LRTP)* coordination, data, and GIS/mapping; American Discovery Trail Mapping; Be Healthy QC (PICH) Grant; IL DOT req. for Trails GIS & I-74 info; QC Chamber Sites Assistance – GIS/Floodplains/Community Photos; QC Street Map (Folded & Wall Versions) Update; Urban Travel Model Data and GIS Assistance; Update/Maintain GIS Data for Street Centerlines, Traffic Counts, MPA Boundary, Federal Functional Class Routes, Urban Areas, Corporate Limits, Landmarks, Rail, Trails, and other layers.

WWW.BISTATEONLINE.ORG: Total pages viewed for March 2015 was 2,631 and top pages viewed included: Home Page (1,093); Search Page (123); Our Staff (96); Documents (61); Joint Purchasing Council (53); Careers (52); Who We Are (51); Contact Us (47); and I-74 Iowa-Illinois Bridge Corridor (39).

ENVIRONMENTAL, RECREATION, RIVERFRONT SERVICES: Responded to inquiries & assisted with trail/recreation project funding assistance/grants. Served Rock Island County Waste Management Agency (RICWMA) with coordination of meetings, oversight, and management of waste disposal and recycling programs; reporting; and overall agency administration. Responded to RICWMA telephone inquiries from general public & media concerning solid waste and recycling issues. Organized RICWMA electronic collection event with new vendor. Continued coordination of issues related to Bi-State Region Clean Air Partnership and strategies for emission reduction. Continued multi-jurisdictional hazard mitigation planning. Attended RiverVision and River Action meetings. Attended planning meetings for Upper Mississippi River conference. Attended Mississippi River National Geographic Geotourism Workshop. Organized bi-monthly meeting of Quad City Riverfront Council.

INTERGOVERNMENTAL FORUMS AND REGIONAL SERVICES: Continued assistance to the Joint Purchasing Council (JPC). Worked on the following bids: Turf Chemicals; Janitorial Supplies/Canliners/Food Services; Plotter Paper; Printer/Fax Supplies; and Winter Paper. Staffed Quad Cities Area intergovernmental forums and meetings of area recreation directors, managers and administrators, and chief elected officials. Continued coordination and planning for the awarded Department of Justice interoperability grant. Assisted with Rock Island Arsenal issues.

REVOLVING LOAN FUND (RLF): Administered Bi-State RLF Program: Prepared meeting cancellation notice and financial summary report. Closed on Davenport company loan. Provided information to potential applicants. Continued receiving job creation information from active companies. Administered Mercer/Muscatine RLF Program (MMRLF): Prepared financial summary report. Closed on Muscatine company loan. Provided information to potential applicants. Worked with Aledo, Muscatine City and County, West Liberty, and Wilton to identify potential projects for gap financing.

TRANSPORTATION PLANNING, PROGRAMMING AND PROJECT DEVELOPMENT: Attended related meetings, presented information, and continued staff coordination of river crossing issues. Updated MPA bridge restrictions for CY15. Worked on *2045 Quad Cities Long Range Transportation Plan (LRTP)* chapters, travel model calibration/validation, household survey data analysis, and TAZ level projections. Completed *Bi-State Region Transit Development Plan* update. Held joint interdisciplinary traffic safety meeting. Prepared monthly reports of federal transportation programs and coordinated related funding/reporting. Monitored air quality emission issues and exceedances. Continued "Make Air Quality Visible" strategic plan implementation. Worked on connections of American Discovery Trail (ADT)/Grand Illinois Trail and Mississippi River Trail, and attended related meetings, as well as other trail planning and grant assistance. Facilitated issues related to Bi-State Regional Trails Committee, including "Get Out and Trail-GOAT" coordination. Participated in Partnership in Community Health (PICH) grant work plan development. Coordinated Bi-State Drug and Alcohol Testing Consortium and continued random testing program. Monitored MPO and Iowa Region 9 FY15 Transportation Planning Work Programs and continued FY2016 TPWP development. Monitored FFY15-18 Transportation Improvement Programs (TIP) including facilitating TIP revisions, and maintenance of data entry in Iowa TPMS as part of transportation improvement programming. Initiated MPO FFY16-19 TIP development. Administered IAQC and Illinois Region 2 transit coordinator positions. Administered Bi-State Region Freight Flow Commodity Study and participated in meetings, document review, and coordination. Attended ILDOT Performance Measures Advisory Group meeting. Reviewed transit funding balances and monitored FTA grantee requirements. Monitored status of implementation of passenger rail service to Chicago. Participated in transportation webinars, workshops, or conferences on various topics, including MPO/RPA Directors meeting.



Serving local governments in Muscatine and Scott Counties, Iowa;
Henry, Mercer and Rock Island Counties, Illinois.

RESOLUTION

BI-STATE REGIONAL COMMISSION ADOPTING THE FY 2016 TRANSPORTATION PLANNING WORK PROGRAM, AUTHORIZING FILING OF GRANT APPLICATIONS AND EXECUTION OF GRANT CONTRACTS CONSISTENT WITH THE WORK PROGRAM

OFFICERS:

CHAIR

John Thodos

VICE-CHAIR

Kas Kelly

SECRETARY

Kim Callaway-Thompson

TREASURER

Marty O'Boyle

MUNICIPAL REPRESENTATIVES:

City of Davenport

Bill Gluba, Mayor

Gene Meeker, Alderperson

Jason Gordon, Alderman

Hap Volz, Citizen

City of Rock Island

Dennis Pauley, Mayor

Chuck Austin, Alderman

City of Moline

Scott Raes, Mayor

Sean Liddell, Alderman

City of Bettendorf

Bob Gallagher, Mayor

City of East Moline

John Thodos, Mayor

City of Muscatine

DeWayne Hopkins, Mayor

City of Kewanee

Bruce Tossell, Mayor

City of Silvis; Villages of

Andalusia, Carbon Cliff,

Coal Valley, Cordova, Hampton,

Hillsdale, Milan, Oak Grove,

Port Byron, and Rapids City

Ken Williams, Mayor, Carbon Cliff

Cities of Aledo, Colona, Galva,

Geneseo; Villages of Alpha,

Andover, Atkinson, Cambridge,

New Boston, Orion, Sherrard,

Viola, Windsor, and Woodhull

Dave Holmes, Mayor, Woodhull

Cities of Blue Grass, Buffalo,

Eldridge, Fruitland, LeClaire,

Long Grove, McCausland,

Princeton, Riverdale, Valcott,

West Liberty, and Wilton

Marty O'Boyle, Mayor, Eldridge

COUNTY REPRESENTATIVES:

Henry County

Roger Gradert, Chair

Dennis Anderson, Member

JoAnne Hillman, Member

Mercer County

Vacant

Muscatine County

Kas Kelly, Chair

Bob Howard, Member

Rock Island County

Ken "Moose" Maranda, Chair

Kim Callaway-Thompson, Member

Scott Terry, Member

Elizabeth Sherwin, Citizen

Scott County

Tom Sunderbruch, Chair

Carol Earnhardt, Member

Diane Holst, Member

Jazmin Newton-Butt, Citizen

PROGRAM REPRESENTATIVES:

Cheryl Goodwin

Ralph H. Heninger

Nathaniel Lawrence

Rick Schloemer

Bill Stoermer

Jim Tank

Rory Washburn

Executive Director

Denise Bulat

WHEREAS, the Bi-State Regional Commission serves local government within Scott and Muscatine Counties, Iowa and Rock Island, Henry and Mercer Counties, Illinois; and

WHEREAS, the purpose and objectives of the Bi-State Regional Commission are to serve as a forum for intergovernmental cooperation, provide technical assistance, serve as an information clearinghouse for data and the intergovernmental project review process, assist in the allocation of state and federal funds and conduct regional studies; and

WHEREAS, the Bi-State Regional Commission annually develops a transportation planning work program which describes all major transportation planning work tasks to be performed by its staff during the coming fiscal year; and

WHEREAS, the federal and state agencies which provide funding for the activities described in the work program require submittal of grant applications and execution of contracts;

NOW, THEREFORE, BE IT RESOLVED by the Bi-State Regional Commission on this 22nd day of April 2015 as follows:

1. That the FY 2016 Transportation Planning Work Program contains major transportation work activities which are consistent with the purpose and objectives of the Commission;

2. That the Commission Chair, Secretary, and Executive Director, as appropriate, are hereby authorized to submit the necessary applications to the:

– State of Illinois, Department of Transportation; and

– State of Iowa, Department of Transportation;

3. That the appropriate Commission officials are authorized to execute the planning grants resulting from the above stated applications; and
4. That the appropriate Commission officials are authorized to furnish all assurances and additional information as may be required in connection with all grant applications and contacts.

SIGNED:

ATTEST:

by _____
John Thodos, Chair
Bi-State Regional Commission

by _____
Bi-State Regional Commission



Serving local governments in Muscatine and Scott Counties, Iowa;
Henry, Mercer and Rock Island Counties, Illinois.

RESOLUTION

BI-STATE REGIONAL COMMISSION ADOPTING THE FY 2016 REGION 9 TRANSPORTATION PLANNING WORK PROGRAM AUTHORIZING FILING OF GRANT APPLICATIONS AND EXECUTION OF GRANT CONTRACTS CONSISTENT WITH THE WORK PROGRAM

OFFICERS:

CHAIR

John Thodos

VICE-CHAIR

Kas Kelly

SECRETARY

Kim Callaway-Thompson

TREASURER

Marty O'Boyle

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City of Kewanee

Bruce Tossell, Mayor

City of Silvis; Villages of

Andalusia, Carbon Cliff,

Coal Valley, Cordova, Hampton,

Hillsdale, Milan, Oak Grove,

Port Byron, and Rapids City

Ken Williams, Mayor, Carbon Cliff

Cities of Aledo, Colona, Galva,

Geneseo; Villages of Alpha,

Andover, Atkinson, Cambridge,

New Boston, Orion, Sherrard,

Viola, Windsor, and Woodhull

Dave Holmes, Mayor, Woodhull

Cities of Blue Grass, Buffalo,

Eldridge, Fruitland, LeClaire,

Long Grove, McCausland,

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WHEREAS, the purpose and objectives of the Bi-State Regional Commission are to serve as a forum for intergovernmental cooperation, provide technical assistance, serve as an information clearinghouse for data and the intergovernmental project review process, assist in the allocation of state and federal funds and conduct regional studies; and

WHEREAS, the Bi-State Regional Commission annually develops a transportation planning work program which describes all major transportation planning work tasks to be performed by its staff during the coming fiscal year for Region 9; and

WHEREAS, the federal and state agencies which provide funding for the activities described in the work program require submittal of grant applications and execution of contracts;

NOW, THEREFORE, BE IT RESOLVED by the Bi-State Regional Commission on this 22nd day of April 2015 as follows:

1. That the FY 2016 Transportation Planning Work Program for Region 9 contains major transportation work activities which are consistent with the purpose and objectives of the Commission;
2. That the Commission Chair, Secretary, and Executive Director, as appropriate, are hereby authorized to submit the necessary applications to the State of Iowa, Department of Transportation;
3. That the appropriate Commission officials are authorized to execute the planning grants resulting from the above stated applications; and
4. That the appropriate Commission officials are authorized to furnish all assurances and additional information as may be required in connection with all grant applications and contracts.

SIGNED:

ATTEST:

by: _____

John Thodos, Chair
Bi-State Regional Commission

by: _____

Bi-State Regional Commission

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1504 Third Avenue, P.O. Box 3368, Rock Island, Illinois 61204-3368

Phone (309) 793-6300, Fax (309) 793-6305

E-mail: info@bistateonline.org • Website: www.bistateonline.org



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Henry, Mercer and Rock Island Counties, Illinois.

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John Thodos

VICE-CHAIR
Kas Kelly

SECRETARY
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TREASURER
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New Boston, Orion, Sherrard,
Viola, Windsor, and Woodhull
Dave Holmes, Mayor, Woodhull

Cities of Blue Grass, Buffalo,
Eldridge, Fruitland, LeClaire,
Long Grove, McCausland,
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Rick Schloemer
Bill Stoermer
Jim Tank
Rory Washburn
Executive Director
Denise Bulat

Assurance of Local Match

The Bi-State Regional Commission assures that the required local match for DOT PL and FTA Section 5303 funding received to carry out the Commission's portion of the Transportation Planning Work Program has been committed by the Commission as follows:

<u>Funding Source</u>	<u>Grant Amount</u>	<u>State/Local/Match</u>
IL DOT PL	\$275,853	\$68,963
IA DOT PL	272,035	68,009
IA DOT FTA Section 5303	52,824	13,206
IL DOT FTA Section 5303	74,226	18,557
TOTAL	\$674,938	\$168,735

Attest:

John Todos, Chair
Bi-State Regional Commission

April 22, 2015

Date

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VICE-CHAIR

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SECRETARY

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TREASURER

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DeWayne Hopkins, Mayor

City of Kewanee

Bruce Tossell, Mayor

City of Silvis; Villages of

Andalusia, Carbon Cliff,

Coal Valley, Cordova, Hampton,

Hillsdale, Milan, Oak Grove,

Port Byron, and Rapids City

Ken Williams, Mayor, Carbon Cliff

Cities of Aledo, Colona, Galva,

Geneseo; Villages of Alpha,

Andover, Atkinson, Cambridge,

New Boston, Orion, Sherrard,

Viola, Windsor, and Woodhull

Dave Holmes, Mayor, Woodhull

Cities of Blue Grass, Buffalo,

Eldridge, Fruitland, LeClaire,

Long Grove, McCausland,

Princeton, Riverdale, Walcott,

West Liberty, and Wilton

Marty O'Boyle, Mayor, Eldridge

COUNTY REPRESENTATIVES:

Henry County

Roger Gradert, Chair

Dennis Anderson, Member

JoAnne Hillman, Member

Mercer County

Vacant

Muscatine County

Kas Kelly, Chair

Bob Howard, Member

Rock Island County

Ken "Moose" Maranda, Chair

Kim Callaway-Thompson, Member

Scott Terry, Member

Elizabeth Sherwin, Citizen

Scott County

Tom Sunderbruch, Chair

Carol Earnhardt, Member

Diane Holst, Member

Jazmin Newton-Butt, Citizen

PROGRAM REPRESENTATIVES:

Ralph H. Heninger

Nathaniel Lawrence

Rick Schloemer

Bill Stoermer

Jim Tank

Rory Washburn

Executive Director

Denise Bulat

RESOLUTION OF THE BI-STATE REGIONAL COMMISSION IN SUPPORT OF THE COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY

WHEREAS, the Bi-State Regional Commission serves local government within Muscatine and Scott Counties, Iowa, and Henry, Mercer, and Rock Island Counties, Illinois; and

WHEREAS, the Bi-State Regional Commission has established continued economic development in the region as a major priority; and

WHEREAS, the economic opportunities and limitations exist in the Region that influence development possibilities; and

WHEREAS, the surveillance and analysis of these economic factors promote long range development consideration for coordinated action within the Region;

NOW, THEREFORE, BE IT RESOLVED THAT THE Bi-State Regional Commission hereby adopts the Comprehensive Economic Development Strategy Progress Report for Fiscal Year 2015 and the policies set forth therein.

Passed this 22nd day of April 2015 by the Bi-State Regional Commission.

Signed:

Attest:

By:

John Thodos, Chair
Bi-State Regional Commission

Member
Bi-State Regional Commission

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AGREEMENT

MUSCATINE CONVENTION AND VISITORS BUREAU

AGREEMENT, by and between the CITY OF MUSCATINE, IOWA (hereinafter referred to as the "City") and the MUSCATINE CONVENTION AND VISITORS BUREAU (hereinafter referred to as the "CVB").

WHEREAS, the Muscatine City Council provides for an annual allocation of funding from hotel/motel tax revenue to the CVB to establish and maintain the CVB; and

WHEREAS, the CVB Board of Directors is willing to provide direction, supervision, and administrative support for the Bureau; and

WHEREAS, the City and the CVB agree to the following contractual obligations;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. ESTABLISHMENT. The CVB will organize, manage and operate the CVB in compliance with all State and Federal laws that govern a non-profit corporation as defined in section 501(c)(36) of the Internal Revenue Code. The CVB is responsible for all Internal Revenue Service (IRS) and other required filings.
2. PURPOSE. The purpose of the CVB is to market and promote the City of Muscatine as a premier destination for residents and for both leisure and business travelers.
3. BOARD OF DIRECTORS. A CVB Board of Directors will be established to provide program development, financial management, and staff management.

A. APPOINTMENT. The Board of Directors ~~shall~~ initially consisted of 21 members. The Mayor ~~was~~ shall be responsible for appointing the initial Board members. Thereafter, the Board ~~shall~~ established the method, composition, and term of appointment of its members through its bylaws. A copy of the initial and current bylaws are attached for reference.

A. ~~The City shall be assured of a minimum of two Unless and until varied by its bylaws, the Board shall seek community leaders in accordance with the following terms and conditions:~~

1. ~~Five (5) board members shall be selected from and represent the major entertainment, historic, cultural, sports, attractions and event clubs/organizations/associations within the community.~~

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2. ~~One (1) board member shall be selected from the lodging industry in the Community. The Board of Directors shall accept nominations from the hotel/motel industry and/or individual hotel or motel owners/operators prior to appointment of these directors. Each appointee must hold the position of Manager or higher.~~

3. ~~Two (2) board members shall be selected from among residents of the community who have demonstrated a general interest in the community and surrounding area. Volunteer participation in current or past organizations should be taken into consideration for nomination and selection by the Board.~~

4. ~~Two (2) board members shall be selected from among the restaurant/bar/food service industry. The Board of Directors shall accept nominations from the restaurant/bar/food service industry prior to appointment of these directors.~~

5. ~~Two (2) board members shall be selected from among the downtown retail industry. The Board of Directors shall accept nominations from the downtown retail industry prior to appointment of these directors.~~

6. ~~Two (2) board members shall be selected from among other retail (1) and industry (1). The Board of Directors shall accept nominations from the other retail and industry prior to appointment of these directors.~~

7. ~~Two (2) board members shall be appointed by the Mayor from among the members of the City Council and Staff – one (1) City Council Member appointed by the Mayor and one (1) representative from City the Parks & Recreation staff appointed by the City Administrator. The Board may invite additional City representatives to be present at board meetings as it may deem necessary or proper.~~

~~Two (2) board members shall be selected from the Greater Muscatine Chamber of Commerce and Industry Board of Directors – one (1) each from large and small business (non-retail) organizations.~~

8. ~~Two (2) board members shall be the current CEO – Greater Muscatine Chamber of Commerce or his/her designee and the Mayor of Muscatine or his/her designee.~~

- B. OFFICERS. The Board shall elect a Chairperson and other officers as outlined in its bylaws each year.
- C. MEETINGS. Regular meetings of the Board of Directors will be held monthly with a minimum of 10 meetings per year.
- D. BUDGET AND WORK PLAN. The Board shall submit to the City each year an annual budget based on anticipated revenues and expenses, copies of audited financial statements, and other statements as may from time to time be requested by the Council. The Board shall present its work plan detailing results and metrics from the previous year and its work plan for the coming year according to the Council's agenda.
- E. SUB-COMMITTEES. Based on Program of Work, sub-committees may be established by the Board. Non-board members will be encouraged to participate on these sub-committees.

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4. FUNDING. The City shall annually allocate twenty five percent (25%) of all hotel/motel tax revenue that are collected by the Iowa Department of Revenue and received by the City, which amount shall constitute complete compensation from the City for all of the services to be rendered, including personnel costs, travel, printing, mailing, publications, and all other expenses. ~~The annual funding allocation shall be computed based on 25% of the prior year actual hotel/motel tax receipts. This sum shall be paid to the CVB in four (4) equal quarterly installments. The sum shall be paid to the CVB in four (4) quarterly installments within twenty (20) days of the date the City receives the revenue from the Department of Revenue.~~
5. ANNUAL REPORT. The CVB will provide the City with a written annual report each year so that the City may determine whether all contractual obligations undertaken by the CVB, specifically the work plan, were met. The annual report shall set forth measurements or metrics including but not limited to, ~~but not limited to, the following areas~~ such items as follows: hHotel/mMotel (Tax receipts; visitor counts at welcome center locations; annual advertising expenditures; ratio of advertising dollars spent to documented leads; number of tour groups and associated statistics; and number of conventions, meetings, and associated statistics.
6. MANAGEMENT. The staffing and management of the CVB is the responsibility of the CVB Board of Directors, who shall be solely responsible for employment, discharge, and day-to-day management of the CVB. ~~Persons employed by the CVB are employees of the CVB and are not employees of the City.~~
7. ACCOUNTING. The CVB may utilize the City's Finance Department for financial accounting with City approval or the CVB may maintain separate accounts. If a separate account is maintained, all checks shall require two signatures of authorized CVB board members. Any separate CVB account shall be subject to an annual audit by a Certified Public Accounting firm.

8. TERM. This Agreement shall be effective for ~~threecone~~ years beginning July 1, 201~~53~~, and may be terminated by either party by -a written ninety (90) day notice. -All monies, equipment, supplies, and other items held in the name of the CVB and funded from revenue received from the City shall become the property of the City upon the termination of this Agreement.

SIGNED this _____ day of _____, 201~~53~~,

DeWayne Hopkins
Mayor

Chuck Van Hecke
Chairman
Muscatine Convention and Visitors Bureau
Board of Directors

ATTEST:

Gregg Mandsager
City Clerk

You are invited to the **Grand Opening** of
Muscatine International Friendship Park



May 15, 2015

5:00 to 6:00 pm

At the green space at the corner of Cedar and East Eighth streets.

Please RSVP to John Dabeet. (johndabeet@gmail.com or 563-554-1353)